UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TAE JIN CHOI,

                Plaintiff,

      - against -

SANSOOGAPSAN II, INC.,
YUN HWA NO, KEUN KU NO,
JUNG HWAN NO and NA YEON KIM,

                Defendants.

12 Civ. 2902 (NG)

STIPULATION OF
PARTIAL DISMISSAL

WHEREAS, plaintiff Tae Jin Choi commenced this action on June 8, 2012 against Sansoogapsan II, Inc., Yun Hwa No, Keun Ku No, Jung Hwan No, and Na Yeon Kim (collectively, the "Defendants") for violations of the Fair Labor Standards Act, as amended, 29 U.S.C. §§ 201 *et seq*. ("FLSA") and various provisions of the New York Labor Law; and

WHEREAS, defendant Keun Ku No is the deceased husband of defendant Yun Hwa No and had no ownership interest in or management title at the restaurant owned by defendant Sansoogapsan II, Inc.; and

WHEREAS, defendant Jung Hwa No is the son of defendant Yun Hwa No.; and

WHEREAS, the Court has set a pre-trial schedule for Plaintiff to amend the Complaint by stipulation or amended pleading by September 27, 2012;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned attorneys for the Plaintiff and the Defendants that, pursuant to Fed. R. Civ. P. 41(a)(i)(A)(ii), the above-captioned action is hereby dismissed with prejudice against defendant Keun Ku No; and

IT IS FURTHER STIPULATED AND AGREED, by and among the undersigned attorneys for the Plaintiff and the Defendants that, pursuant to Fed. R. Civ. P. 41(a)(i)(A)(ii), the

above-captioned action is hereby dismissed without prejudice against defendant Jung Hwan No,

but that Jung Hwan No will continue to be subject to discovery in this action by Plaintiff as if he

were a party to this action.

Dated: New York, New York
        September 25, 2012

LEE LITIGATION GROUP, PLLC   STEPTOE & JOHNSON LLP

By:_____   By:_____
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    Counsel for Plaintiff   *Attorneys for Defendants/*
    Tae Jin Choi   *Counterclaim-Plaintiff*

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